

**FILED**

APR 17 2019

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY DEPUTY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**19MJ1563**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Saul LEAL,

Defendant.

Case No.:

COMPLAINT FOR VIOLATION OF

Title 21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

COUNT 1

On or about April 16, 2019, within the Southern District of California, defendant,


Saul LEAL did knowingly and intentionally import 500 grams and more, to wit: approximately 30.58 kilograms (67.41 pounds), of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

COUNT 2


On or about April 16, 2018, within the Southern District of California, defendant, Saul LEAL, did knowingly and intentionally import 5 kilograms and more, to wit: approximately 5.6 kilograms (12.34 pounds), of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

4/16

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2 The complainant states that this complaint is based on the attached Statement of Facts  
3  
4 incorporated herein by reference.

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6   
Special Agent Paul Mello  
Homeland Security Investigations

7 SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF  
8 APRIL 2019.

9  
10   
HON NITA L. STORMES  
U.S. MAGISTRATE JUDGE

1 United States of America

2 Vs.

3 Saul LEAL

4  
5 **PROBABLE CAUSE STATEMENT**

6 On April 16, 2019, at approximately 1750 hours, defendant Saul LEAL, a  
7 United States citizen, applied for permission to enter into the United States from  
8 Mexico through the San Ysidro, California Port of Entry in vehicle lane number  
9 nineteen (19). LEAL was the driver and registered owner of a green Nissan Xterra  
10 bearing California license plates (hereafter referred to as "THE VEHICLE").  
11

12  
13 Customs and Border Protection Officer (CBPO) Garrett Duda was working  
14 Pre- Primary Lane nineteen (19). LEAL told the CBPO he was headed to work in  
15 Otay Mesa and gave two negative customs declarations. LEAL told CBPO Duda he  
16 purchased the vehicle two months ago. LEAL told CBPO Duda he is the only one  
17 that drives the vehicle, however he recently had the vehicle repaired. After CBPO  
18 inspected the spare tire and received an abnormally high Buster reading he requested  
19 assistance from a Narcotics and Human Detection dog. CBPO B. Bence responded  
20 and his canine gave a positive alert on the spare tire. LEAL was referred to the  
21 secondary lot for further inspection.  
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26 In secondary, an X ray was conducted on the vehicle and CBPO's observed  
27 anomalies in the spare tire, front seats, and both quarter panels. CBPO Mathew  
28

1 Laramée-Parfrey conducted a search of the vehicle and discovered fifty five (55)  
2 vacuumed sealed packages containing a white crystalized substance that field tested  
3 positive for methamphetamine. The combined weight of the packages was  
4 approximately 30.58 kilograms (67.41 pounds). CBPO Laramée-Parfrey also  
5 discovered an additional five (5) vacuum sealed packages of a white powdery  
6 substance that field tested positive for cocaine. The combined weight of the  
7 packages was approximately 5.6 kilograms (12.34 pounds).

10 Post Miranda, LEAL initially stated that he had no knowledge of transporting  
11 narcotics. LEAL stated that he was looking for a job in the San Diego area on  
12 Facebook. LEAL contacted someone on Facebook who was looking for workers to  
13 transport candy and wallets from Mexico to the United States. Later, LEAL accepted  
14 the job and his employers gave LEAL a vehicle. LEAL was crossing the vehicle  
15 today to get tested for smog.

18 LEAL had told CBPOs earlier that he owned the vehicle for two months but  
19 then told HSI Special Agents that he owned it for a week and a half. LEAL told HSI  
20 Special Agents that the reason he said two months initially was because he was  
21 nervous and didn't have much time to think about his response. LEAL later stated  
22 that he had a bad feeling that his employers were lying to him and may have placed  
23 drugs into his vehicle. LEAL gave his wife his credit card prior to crossing into the  
24 United States on April 16, 2019, in case he was arrested.

1 LEAL was arrested and charged with a violation of Title 21, United States  
2 Code, 952 and 960, importation of a controlled substance.  
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